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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/720,871	11/24/2003	Roger S. Kerr	82473BNAB	5124

7590 04/25/2005

Eastman Kodak Company
Patent Legal Staff
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EXAMINER	
HAWKINS, CHERYL N	
ART UNIT	**PAPER NUMBER**
1734	

DATE MAILED: 04/25/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/720,871	KERR ET AL.	
	Examiner	Art Unit	
	Cheryl N. Hawkins	1734	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☐ Responsive to communication(s) filed on _____.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) 1-24 is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) 1-24 is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on 24 November 2003 is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date 11/24/03.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 112

1. The following is a quotation of the second paragraph of 35 U.S.C. 112:

> The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

2. Claims 9, 14-16, and 21 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 9 recites the limitation "said thermal print layer" in line 1 of the claim. There is insufficient antecedent basis for this limitation in the claim.

Claim 13 recites the limitation "first support layer" in line 1 of the claim. There is insufficient antecedent basis for this limitation in the claim.

Claim 14 recites the limitation "said second support layer" in line 1 of the claim. There is insufficient antecedent basis for this limitation in the claim.

Claim 15 recites the limitation "said second support layer" in line 1 of the claim. There is insufficient antecedent basis for this limitation in the claim.

Claim 20 recites the limitation "said thermal print layer" in line 1. There is insufficient antecedent basis for this limitation in the claim.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

4. Claims 1-6, 9, 10, 12-18, 21, 22, and 24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kerr (US 6,508,527) in view of Kondos et al. (US 6,593,423). As to Claims 1 and 12, Kerr discloses a method for laminating a pre-press proof (Figure 4; column 4, line 56 through column 5, line 10) comprising providing a sheet of plastic film (260); laminating a pre-laminate sheet of material (170) comprising a first thermoplastic layer and first support layer (238) to the sheet of plasma etched plastic material; removing the first support layer (238) thereby forming a pre-laminated receiver stock; creating an imaged receiver sheet (150) with a second support layer (234); laminating the imaged receiver sheet (150) with the pre-laminated receiver stock; and removing the second support layer (234) forming a pre-press proof (250). Kerr also discloses that the pre-laminate sheet of material may include a thermoplastic layer (Figure 3, layer 225; column 4, lines 40-44). Kerr does not disclose coating the sheet of plastic material. It is well known and conventional in the adhesive bonding art, as disclosed by Kondos et al. (column 1, lines 35-39; column 2, lines 39-50), to coat the bonding surface of a polymeric sheet with an adhesion promoting agent, e.g. chlorinated polypropylene, to increase the adherence of the polymeric sheet to other substrates. It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the method of Kerr to include coating the sheet of plastic material with an adhesion promoting agent as suggested by Kondos et

al. to increase the adherence of the plastic sheet to the other sheet materials thereby resulting in a securely bonded laminate.

As to Claims 2 and 14, the references as combined (see Kerr) disclose a method wherein the first support layer (170) is comprised of a support base (238) and a release layer (198).

As to Claims 3 and 15, the references as combined (see Kerr) disclose a method wherein the second support layer (150) is comprised of a support base (234) and a release layer (194).

As to Claims 4 and 16, the references as combined (see Kerr) disclose a method wherein the second support layer (150) is comprised of a support base (234), release layer (194), and an aluminized layer (200).

As to Claims 5, 6, 17, and 18, the references as combined (see Kerr) disclose a method wherein the resulting pre-press proof has a resolution of between 1400 and 4000 dpi (column 5, lines 42-45).

As to Claims 9 and 21, the references as combined (see Kerr) disclose a method which includes thermal print layer having a thickness between 1 and 75μm (column 4, lines 53-56).

As to Claims 10 and 22, the references as combined (see Kerr) disclose a method wherein the image is an inkjet generated image (column 5, lines 41-45).

As to Claims 13 and 24, Kerr discloses a method for laminating a pre-press proof (Figure 4; column 4, line 57 through column 5, line 10) comprising providing a sheet of plastic material (260); creating an imaged receiver sheet (140) with a support layer (150); laminating the sheet of plastic (260) to the imaged receiver sheet (140); and removing the support layer (150) thereby forming a pre-press proof. Kerr does not disclose coating the sheet of plastic material. It is well known and conventional in the adhesive bonding art, as disclosed by Kondos et al. (column 1,

lines 35-39; column 2, lines 39-50), to coat the bonding surface of a polymeric sheet with an adhesion promoting agent, e.g. chlorinated polypropylene to increase the adherence of the polymeric sheet to other substrates. It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the method of Kerr to include coating the sheet of plastic material with an adhesion promoting agent as suggested by Kondos et al. to increase the adherence of the plastic sheet to the other sheet materials thereby resulting in a securely bonded laminate.

5. Claims 7, 8, 19, and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kerr (US 6,508,527) and Kondos et al. (US 6,593,423) as applied to claims 1 and 13 above, and further in view of Yamaguchi (US 6,435,640). As to Claims 7, 8, 19, and 20, the references as combined (see Kerr) disclose providing the image receiver sheet with an inkjet generated image (column 5, lines 41-45), but the references as combined are silent as to the imaged receiver sheet comprising either a monochrome or multicolored image. It is well known and conventional in the printing art, as disclosed by Yamaguchi (column 3, lines 40-42), to provide ink jet printed images in either monochrome or multicolor to create customized images. It would have been obvious to one of ordinary skill in the art at the time of the invention to provide the inkjet generated image of Kerr as either a monochrome or multicolored image as suggested by Yamaguchi; the utilization of inkjet printing to provide both monochrome and multicolored images being well established in the art.

6. Claims 11 and 23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kerr (US 6,508,527) and Kondos et al. (US 6,593,423) as applied to claims 1 and 13 above, and further in view of Johnson et al. (US 6,593,390). As to Claims 11 and 23, the references as combined do not disclose a method wherein the coating takes place in a printing press. It is well known in the material handling art, as disclosed by Johnson et al. (column 8, lines 40-47), to pre-treat the printing surfaces of substrates with adhesion promoting agents prior to carrying out the printing process to promote greater adhesion of the ink onto the surface of the substrate. Since the application of an adhesion promoting agent is often performed in close coordination with a printing process, it would have been obvious to one of ordinary skill in the art to modify the method of the Kerr to provide the plasma etching of the sheet of plastic material in the ink jet printing device prior to the printing of the sheet of plastic material.

Conclusion

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Cheryl N Hawkins whose telephone number is (571) 272-1229. The examiner can normally be reached on 8:30am-5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Christopher A Fiorilla can be reached on (517) 272-1187. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Cheryl N. Hawkins
April 13, 2005

CHRIS FIORILLA
SUPERVISORY PATENT EXAMINER
AU 1734